

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

**THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN**

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

WP(C).No. 28540 of 2007(V)

PETITIONERS:

- 1. S.BABU, DILIP BHAVAN, VELANTTE VILA,
KOTTUKAL P.O., THIRUVANANTHAPURAM DIST.**
- 2. S.NIRMALA,
DILIP BHAVAN,
VELANTTE VILA, KOTTUKAL P.O.,
THIRUVANANTHAPURAM DIST.**

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR

RESPONDENTS:

- 1. THE SUPERINTENDENT OF POLICE,
THIRUVANANTHAPURAM RURAL,
THIRUVANANTHAPURAM.**
- 2. THE SUB INSPECTOR OF POLICE,
KANJIRAMKULAM.**

ADDL.R3 & R4 ARE IMPEADED

- 3. K.RAVEENDRAN, RAJESHG BHAVAN,
PUNNAKKOLAM, KUTTIKKAL P.O.
THIRUVANANTHAPURAM DISTRICT.**
- 4. V.ANITHA, RAJESH BHAVAN, PUNNAKKULAM,
KUTTIKKAL P.O., THIRUVANANTHAPURAM DISTRICT.**

**ADDL.R3 & R4 IIMPEADED AS PER ORDER DT. 29.10.07 IN IA./
13945/07.**

**BY GOVERNMENT PLEADER SRI.P.A.SALIM
BY ADV. SRI.AJITH KRISHNAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 29/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C) NO.28540/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE CERTIFICATE OF MARRIAGE ISSUED BY THE MARRIAGE OFFICER, KULATHOOR IN FAVOUR OF DILEEP AND ASHA.

EXT.P2:- COPY OF THE REPRESENTATION DT. 20.9.07 SUBMITTED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT.

EXT.P3:- COPY OF THE SECONDARY SCHOOL LEAVING CERTIFICATE OF ASHA.

/TRUE COPY/

P.A. TO JUDGE

tss

K.BALAKRISHNAN NAIR &

K.P.BALACHANDRAN, JJ.

W.P.(C) NO. 28540 OF 2007-V

Dated 29th November, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioners are husband and wife. Their son Dileep married the daughter of additional respondents 3 and 4 under the provisions of the Special Marriage Act. Ext.P1 is the photo copy of the marriage certificate. Now, the 2nd respondent Sub Inspector of Police is unnecessarily harassing them. They were told, they should not contact their daughter-in-law, who is presently residing with her parents. Feeling aggrieved by the high-handed action of the police, this writ petition is filed, seeking appropriate reliefs.

2. The learned Government Pleader, upon instructions, submitted that the daughter of additional respondents 3 and 4 filed a complaint before the police on 19.9.2007, alleging that playing a fraud on her, a marriage was registered between her and the above said Dileep. Now, the petitioners' son is threatening her parents. Therefore, she has filed the above said petition before the police against him and the petitioners.

3. The learned counsel appearing for respondents 3 and 4 submitted that the marriage has been solemnized by playing a fraud on their daughter and legal steps are being taken to annul the said marriage.

4. This is a family dispute, which has to be settled by the appropriate forum. Normally, the police need not interfere in such matters, unless commission of cognizable offence is reported. We record the submission of the learned Government Pleader that the 2nd respondent is not harassing the petitioners nor he has any intention to harass them. But, if their presence is required in connection with the investigation of any cognizable offence, the 2nd respondent may issue notice to them under Section 160 of the Cr.P.C.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

K.P.BALACHANDRAN, JUDGE.

Nm/